

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

894I0053

## HOUSE BILL NO. 1002

Introduced by: Representatives Hennies and Murschel and Senators Ham, Kleven, Moore,  
and Nachtigal at the request of the Interim Juvenile Offenses and Sentencing  
Committee

1 FOR AN ACT ENTITLED, An Act to require the Department of Corrections to seek  
2 membership in the Performance-based Standards Project.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The Department of Corrections shall seek membership in the Performance-based  
5 Standards Project sponsored by the Office of Juvenile Justice and Delinquency Prevention,  
6 United States Department of Justice. The Department of Corrections shall apply for membership  
7 as an implementation site and shall sign an agreement with the Council of Juvenile Correctional  
8 Administrators, hereinafter referred to as the council, committing adequate resources to  
9 complete the data collection cycles and facility improvement plans.

10 Section 2. If the membership application in section 1 of this Act is approved, the Department  
11 of Corrections shall apply to the council for demonstrated program funding provided by the  
12 Office of Juvenile Justice Delinquency Prevention to support changes and actions outlined in  
13 facility improvement plans.

14 Section 3. If the membership application in section 1 of this Act is approved, the department  
15 may request federal spending authority from the committee created in § 4-8A-2.



1       Section 4. If the membership application in section 1 of this Act is approved, the Department  
2       of Corrections shall appoint at least one manager who shall organize and supervise agency  
3       resources and activities to achieve membership and completion of designated programs.

4       Section 5. No child in the custody of the Department of Corrections may be placed in any  
5       juvenile corrections program unless that program is actively seeking membership in the  
6       Performance-based Standards Project, has completed designated programs involved with  
7       membership in the council, is actively seeking accreditation through application, is licensed as  
8       a child welfare agency by the Department of Social Services, or is accredited by the American  
9       Corrections Association, the Joint Commission on Accreditation of Health Care Organizations,  
10      or any other nationally accepted accreditation or certification and that has requirements that are  
11      substantially equivalent to, or more comprehensive than, those of the Council of Juvenile  
12      Correctional Administrators.

13      Section 6. The Department of Corrections shall write a report detailing the assessments made  
14      by the council and the actions taken by the department. The Department of Corrections shall  
15      present the report semiannually to the Corrections Commission, established in § 1-15-1.13 and  
16      the Government Operations and Audit Committee established in § 2-6-2, beginning on June 30,  
17      2004. The department shall present the report to the Governor and the Legislature annually,  
18      beginning on January 1, 2005.